

DEVELOPMENT CONDITIONS

SE 2014-SP-060

July 8, 2015

The Board of Supervisors approved SE 2014-SP-060 located at Tax Map 78-3 ((1)) 4 for use as a medical care facility pursuant to Sect. 3-304 of the Fairfax County Zoning Ordinance and conditioned the approval by requiring conformance with the following development conditions.

1. This Special Exception is granted for and runs with the land indicated in this application and is not transferable to other land.
2. This Special Exception is granted only for the purpose(s), structure(s) and/or use(s) indicated on the special exception plat approved with the application, as qualified by these development conditions.
3. This Special Exception is subject to the provisions of Article 17, Site Plans, as may be determined by the Director, Department of Public Works and Environmental Services (DPWES). Any plan submitted pursuant to this special exception shall be in substantial conformance with the approved Special Exception Plat entitled "Silas Burke Property," was submitted by Vika Virginia, LLC and consists of 18 sheets, dated July 18, 2014 and revised through April 23, 2015, and these conditions. Minor modifications to the approved special exception may be permitted pursuant to Par. 4 of Sect. 9-004 of the Zoning Ordinance.
4. A copy of this Special Exception and the Non-Residential Use Permit shall be posted in a conspicuous place on the property of the use and be made available to all departments of the County of Fairfax during the hours of operation of the permitted use.
5. The final architectural design of the building shall be consistent with the general design and type, quality, and proportion of materials depicted in the illustrative perspectives and renderings on Sheets A1 and A2 of the Generalized Development Plan/Special Exception Plat.
6. The maximum number of units shall not exceed 85 and the maximum number of residents shall not exceed 105.
7. Retention and preservation of the Silas Burke House, its two outbuildings and windmill shall be preserved in accordance with the Secretary of the Interior's Standards for Treatment of Historic Properties in perpetuity.

8. Prior to site plan approval, the applicant shall obtain a determination from the Zoning Administrator that the space identified in the assisted living facility as cellar space may be used as occupied cellar space.

This approval, contingent on the above noted conditions, shall not relieve the applicant from compliance with the provisions of any applicable ordinances, regulations, or adopted standards. The applicant shall be himself responsible for obtaining the required Non-Residential Use Permit through established procedures, and this Special Exception shall not be valid until this has been accomplished.

Pursuant to Section 9-015 of the Zoning Ordinance, this special exception shall automatically expire, without notice, thirty (30) months after the date of approval unless the use has been established or construction has commenced and been diligently prosecuted. The Board of Supervisors may grant additional time to establish the use or to commence construction if a written request for additional time is filed with the Zoning Administrator prior to the date of expiration of the special exception. The request must specify the amount of additional time requested, the basis for the amount of time requested and an explanation of why additional time is required.